

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LISA L. MADRID,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:21-cv-00352-SAB

ORDER RE: STIPULATED MOTION TO
MODIFY SCHEDULE

(ECF Nos. 7, 10, 12, 15)

On November 7, 2022, the parties filed a stipulated request for a twenty-one-day extension of time to file Defendant's responsive brief, which the Court construes as a stipulated motion to modify the schedule. (ECF No. 15.) The parties seek to continue Defendant's deadline to November 21, 2022. They proffer counsel for Defendant inherited this case from a colleague and requires additional time to complete the instant brief. Confusingly, they also proffer Defendant was previously incorrectly informed that the responsive brief was due November 14, 2022, but later realized the brief was due October 31, 2022, and now apologize for the delay in seeking an extension. However, a review of the April 1, 2022 scheduling order indicates that Plaintiff's opening brief was due 45 days after lodging of the administrative record; Defendant's responsive brief is due 45 days after the filing of Plaintiff's brief; and the reply brief is due 15 days after the filing of Defendant's brief. (ECF No. 7 at 2.) Plaintiff filed her opening brief on September 29, 2022; therefore, Defendant's responsive brief is due November 14,

2022.¹ Nonetheless, the Court finds good cause exists to grant the requested relief.

Accordingly, IT IS HEREBY ORDERED that:

1. The stipulated motion to modify the schedule (ECF No. 15) is GRANTED; and
2. Defendant shall have until **November 21, 2022**, to file the responsive brief; and
3. All remaining deadlines as set forth in the scheduling order (ECF No. 7) shall be modified accordingly.

IT IS SO ORDERED.

Dated: **November 7, 2022**


UNITED STATES MAGISTRATE JUDGE

¹ The Court notes 45 days from September 29, 2022 is Sunday, November 13, 2022. Accordingly, pursuant to the Federal Rules of Civil Procedure, the deadline fall to Monday, November 14, 2022.